Finance (Pension) (1935) Department

MS SERIES.

G.O. No. 67

DATED 6 9-35.

[Despatch Abstract.]

[illegible] - [illegible] - Abdul Wahab Saheb Bahadur, [illegible]

[illegible] Collector, Kistna, Sanctioned.

Through the Accountant-General.

Revenue **DEPARTMENT.**

CURRENT No.

Received ..... 19 . *Registered* 19

Subject.

Pension - Superannuation (Kistna) -Khan Sahib Abdul Wahab Sahib Bahadur -Treasury Deputy Collector (retired)- Pension application.

ENCLOSURES.

No. .....

.....

Spare copies .....

Reference No. E. 3073/35-3

Station Madras *Dated the* 6th June 19 35.

From

A.R.C.Westlake Esq., I.C.S.,

Secretary Land Revenue and

~~Board~~ Board of Revenue, ~~Revenue~~ Settlement, ~~etc.~~

~~Separate Revenue.~~

~~Reconstruction~~ A.H.A.Todd Esq., I.C.S.,

~~Reference.~~ Commissioner of Land Revenue.

Read the following:-

I.

Letter from the Accountant-General (Pension Verification Section), Madras, No. P.V.2-139 dated 25th of April'3

II

Board's Reference No. E. 3073/35-1 dated 30thApril 3.

III.

Letter from the Accountant-General, Madras (P.V.Sec.) No. P.V. 2-383 dated 25th May 1935.

IV.

Letter from T.Bhaskara Rao Esq., I.C.S., Collector of Bellary No. L.Dis. C. 675/35 dated 29th May 1935.-

3 C.F. Ref: Collector of Kistna Ref. R.Dis.C.1229/35 dated 23-5-35.
Board's Ref. E.3073/35-1 dated 30-4-1935.

114-11 C.F. (G) The application for pension, the service registers in two volumes and other papers received from the Collector of Kistna are herewith submitted after supplying the omissions

pointed out. The Specimen signatures of the Deputy Collector duly attested and also a certificate referred to in para. 3 of the Board's reference are enclosed.

2. The leave salary of the Officer from 1st to 24th April 35 was paid to him on 2-5-1935 in voucher No.A/4 of 1st list of account No.9 of May 1935 after pre-audit by the Accountant-General and his last pay certificate was issued to the Accountant-General from this office on 15-5-35 as per Accountant General's preaudit slip No. G.A. Rev. 25 dated 19-4-35.

Reference

The pension papers of Khan Sahib Abdul Wahab Sahib, Bahadur, Treasury Deputy Collector, Kistna, who has been permitted to retire from service, with effect from 25th April 1935, are submitted to Government.

Secretary.

To the Secretary to Government, Revenue department
through the Accountant-General (Pension Verification Section,
with pension papers asper list and a copy of Kistna Collector's R.Dis. 1229-35 dated 23-5-35.

M.R.V./6-6-35.

Copy of letter from the Collector of Kistna No. R.Di 1229-35 dated 23rd May 1935, to the Collector of Bellary

--

Subject:- Pensions - Abdul Wahab Saheb Bahadur Khan Saheb - Treasury Deputy Collector Kistna (on leave) pension application - transmission

--

Reference:- Board's reference E. 3073/35-1 dated 30-4-1935.

--

The application for pension and the service registers in 2 volumes brought up to date of confirmation of the officer as Deputy Collector together with the information furnished by the Treasy. Officers concerned regarding non gazetted service from 1-4-1933 to 31-3-193 are sent herewith for transmission to the Accountant-General Madras through the Board of Revenue, after supplying the following information.

(i) Columns 7 (a),7(b) and 11 of the 1st sheet of the pension application may be filled up and the application signed by the officer at the place "signature of applicant".

(ii) Columns 7(a) 7(b) and 14 of the pension applicati may be filled up.

(iii) The signature of the Officer may be obtained in column 7 of the service register Vol.II at pages 6,8 and 10.

(iv) Specimen signatures of the officer and the certificate prescribed in G.O. No. 760 Finance dated 24-11-33 may be obtained from the officer.

(v) The leave salary bill of the Officer from 1st to 24th April 1935 may be obtained from him and transmitted to the Accountant.General Madras for preaudit under Art. III of the Madras Financial Account Code.

---

7 (a) Total period of military service. Date of commencement and end of each period of military service. Nil

Nature and nature of the [illegible] received for the military service. Nil

7 (b) Government under which military service has been rendered. Number of [illegible]. Nil

C.F. 238--8,899--3--10-31.

APPLICATION FOR PENSION OR GRATUITY.

1.	Name of applicant.	KHAN SAHEB ABDUL WAHAB SAHEB BAHADUR.
2.	Father's name.	SHEIK DAVOOD SAHIB
3.	Race, Sect and Caste.	SHEIK (MUHAMMADAN)
4.	Residence showing Village and Pergunnah.	BELLARY
5.	Present or last employment, including name of establishment.	Treasury Deputy Collector, Kistna
6	Date of beginning of service	1.5.1903
7.	Date of ending of service.	24.4.1935
		Y. M. D.
8.	Length of service, including interruptions	31 11 24
	of which superior	31 10 14
	inferior	nil
	non-qualifying and interruptions	0 1 10
9.	Class of pension or gratuity applied for, and cause of application.*	Superannuation pension.
10.	[Average] emoluments or pay.	Rs 368 10 8
11.	Proposed pension	Rs 184 5 0
12.	Proposed gratuity.	nil
13.	Date from which pension is to commence.	25.4.1935
14.	Place of payment.	BELLARY
15.	Date of Applicant's birth by Christian era.	25th April 1880
16.	Height.	5 feet 6 inches
17.	Marks.	One mole on the right temple one mole below larynx one mole on the left lower arm below the elbow joint and a scar on the back of the right hand
18.	Date on which the applicant applied for pension.	28.3.1935.

* If the application is for a compensation, pension or gratuity, the nature of the change of establishment which has given rise to the claim should be fully stated.

† (If not known exactly, must be stated on the best information or estimate.)

Certified that these finger prints have been taken in my presence and under my personal superintendence from the left hand of late for whom this application is made.

Signature.

Station,

Date, 193

Little finger.

Ring finger.

Middle finger.

Forefinger.

Thumb.

A12/35-36 209

For COLLECTOR, KISTNA.

Signature of Head of Office.

J.O. 24/5/35

HISTORY OF THE SERVICE (SHOWING INTERRUPTION) OF Khan Sahib Abdul Wahab Sahib Bahadur

Establishment.	Appointment.	Pay.	Acting Allowance.	Date of Beginning.	Date of End	Period owned as service.			Period not reckoned as service.			Remarks.	How verified.	Remarks by the Audit Officer.
		Rs.	Rs.			Y.	M.	D.	Y.	M.	D.			
Revenue Dept.	6th Clerk	15		1.5.03	26.10.03	0	5	26					Cuttack Regr.	
Taluk Offie Hospta	Leave on loss of pay			27.10.03	6.12.03				0	1	10			
"	"			7.12.03	29.2.04	0	2	24						
Temporary	Plague clerk			1.8.04	31.8.04	0	6	0						
Collrs Offie	5th clerk			1.9.04	10.9.07	3	0	10						
Bellary	2nd Try accountant	20		11.9.07	19.9.08	0	9							
	12th accountant			20.9.08	8.11.08	0	1	14						
	14th clerk	25		4.11.08	14.1.09	0	2	11						
	IInd class Revenue	35		15.1.09	31.10.09	0	9	16						
	leave private affairs			1.11.09	31.1.10				0	3	0			
				1.2.10	30.9.10	0	8	0						

Total period of Superior Service in the Interior

	4th Accountant	40	✓	1·10·10	17·10·12	2	0	17	✓	
	3rd "	50	✓	18·10·12	25·9·13	0	11	8	✓	
	1st Class Rev Inspr	40		26·9·13	27·9·13	0	0	2	✓	
	3rd Accountant	50	✓	28·9·13	15·12·13	0	2	18	✓	
	4th Clerk	50		16·12·13	20·1·15	1	1	5	✓	
	3rd Clerk	60	✓	21·1·15	16·12·15	0	10	26	✓	
Sub Collrs Offin Hospl	Hd Clerk	70	✓	17·12·15	13·11·16	0	10	27	✓	
Local Fund service	Plague duty	87½	✓	14·11·16	2·4·17	0	4	19	✓	
				6·0		13	6	22	0	4

(certified with reference to the

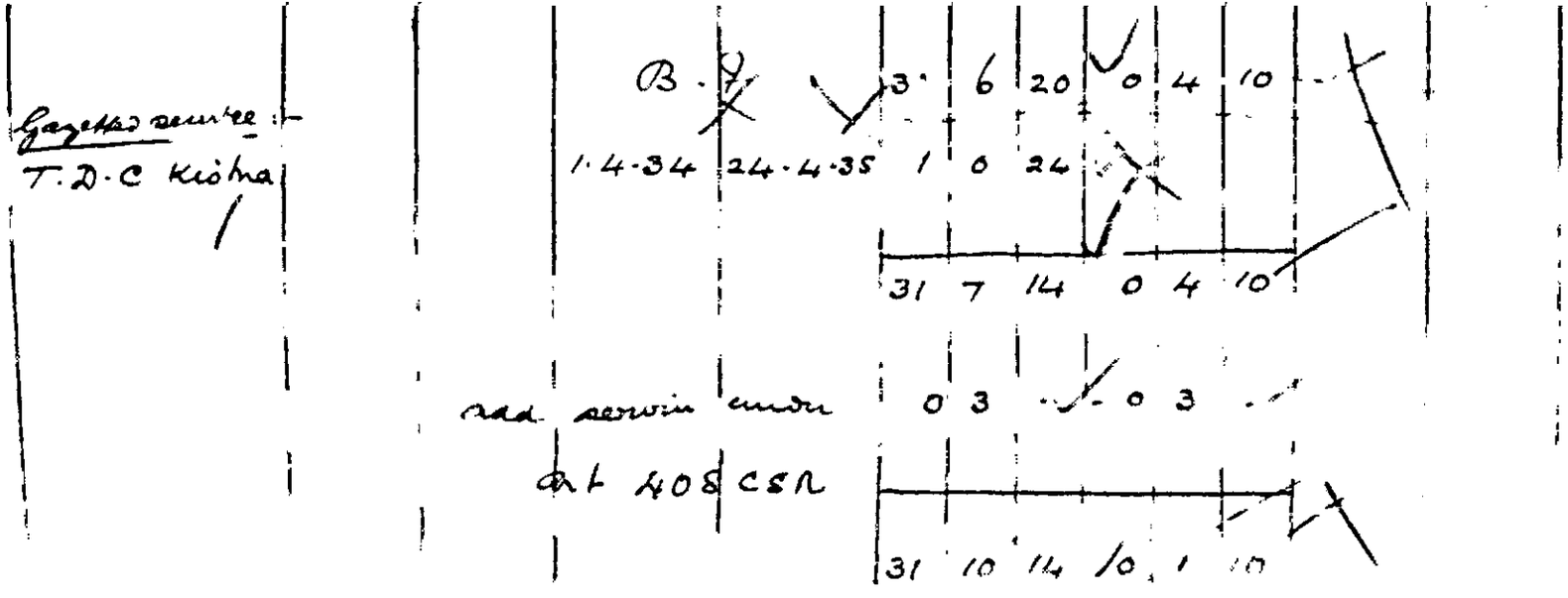
Ms?)

Sub Collr's Office Hospets	Hd Clerk	70		3-4-17	3-10-18	1	6	1	
	Sub magistrate	125		4-10-18	3-10-20	1	5	27	
		150		1-4-20	28-2-22	1	11	0	
		155		1-3-22	7-9-22	0	6	7	
Foreign Service	Dewan Cochin State	275		8-9-22	21-5-23	0	8	14	
	Tahsildar	220		22-5-23	29-2-24	0	9	9	
				1-3-24	28-2-25	1	0	0	

in 2 (ex. 'earlier service in same 2 nr

240		1·3·26	28·2·26	1	-	-		
250		1·3·26	28·2·27	1	-	-		
260		1·3·27	29·2·28	1	-	-		
270		1·3·28	28·2·29	1	-	1		
280		1·3·29	28·2·30					
290		1·3·3	28·2·31	1	-	-		
300		1·3·31	31·3·34	3	1	-		
		60		30	6	20	0	4	10

(вилуших сила чудесне ко Сан Сенту)


Gazetted service :-
T.D.C Kishanganj
B.A.
3 6 20 0 4 10
1-4-34
24-4-35
1 0 24
31 7 14 0 4 10
and service under
Govt 40 & CSR
0 3 0 3
31 10 14 10 1 10

REMARKS BY HEAD OF OFFICE.

1. As to character and past conduct of Applicant. — Both good

2. Explanation of any suspension or degradation. — nil

3. Regarding any gratuity or pension already received by Applicant (*See* Chapter XXI). nil

4. Explanation under Article 427, so far as the Head of the Office can give it. nil

5. Any other remarks. — nil

6. Specific opinion of Head of Office whether the service claimed is established and should be admitted or not (*See* Article 911) (*b*). The service and pension claimed have been established and should be admitted.

3/3 Ponnalagumanan 23/5
J.O for Collector
SIGNATURE
21/5/25.

CERTIFICATE AND REPORT OF THE AUDIT OFFICER.

CERTIFIED that (subject to the remarks below recorded) qualifying service in inferior or superior grades has been duly proved for years months days; and that a (pension or gratuity) not exceeding Rs. , is admissible under Article of the Civil Service Regulations.

The calculations have been duly verified. The (pension or gratuity) is chargeable to (here specify whether to General Revenues or to what Fund).

Secretary

Audit Officer.

APPLICATION FOR PENSION OR GRATUITY—

Date of application. 29-5-35

Name of applicant. Khan Sahib Abdul Wahab Sahib Bahadur.

Last appointment Treasury Deputy Collr. Kistna.

Class of pension or gratuity. Superannuation.

Amount of pension sanctioned.

Amount of gratuity sanctioned Nil

Date of [illegible] 25/4-35.

Date of [illegible]

12 By Regd Post 13

OFFICE OF THE ACCOUNTANT-GENERAL, MADRAS.

(P.V. SECTION),

Fort St. George, 5th March 1935.

No. P.V.2-3315.

Enclosures. 4 incl 2 SBKs

REFERENCE:- Your letter D.Dis.No.474-35-Accts. dated 12/2/1935, forwarding, for preliminary verification, statement of services of Khan Saheb Abdul Wahab Saheb Bahadur, Treasury Deputy Collector, Kistna.

The Non-gazetted portion of the service has been verified from the annual returns on record in this office

2. The entries in the service book should be completed till the date of his confirmation in the Gazetted post. Some of the entries are not chronological and some transit periods are not also shown. This may please be attended to.

3. The substantive pay of the individual and not the acting allowance during the last three years of his service will alone count for average emoluments, unless he was acting in a "clear" or "full vacancy", vide Article 486(h), Civil Service Regulations. As regards emoluments for pension to be taken into account for the period of leave with allowances referred to, attention is invited to rule 1 under Article 487, Civil Service Regulations, under which the "emoluments", which he would have drawn had he been on duty during these periods and not the actual leave salary drawn, should be taken into account.

4. This memo. may kindly be sent along with the final pension papers.

ASSISTANT ACCOUNTS OFFICER

To

The Treasury Officer,
KISTNA.

tsv.

REVENUE DIVISIONAL OFFICER
8- MAY 1935
COCANADA

fore noon

afternoon

4-5-35

14

N dis 84 - 654 - 35 -

Returned to the Treasury officer, Kirkuk or
after noting the date of relief.

Treasury officer
B Goodman

14/5/35

To the Treasury officer
Kirkuk or ~~Mosul~~
Chiefdom for

DEPUTATION BRANCH
3 MAY 1935
AN. L...

...ndra, Collector's Office,
...ore ...ember,
...to ...5.

15

From

...ndra, n.Subordinate ...ned at ... S. ,
Secretary Circle, Kadiri.

...May 193 the Sr. ...ary Dy.Coll...ector, Chittoor, K
" " Anantapur X
" " Bellary X
" " ...ark Dodav...ri, Cuddapah X
" " Guntur. X

Sir,

Sub:- ...ations - ...dua ...ed Sched ...hedu - K an Subsb ...pplic...ation for pension.

...

Dates of commencement or termination of appointment in the ...ishing Class and which in the service register of the officer and the Sr...ies ...ached to be obtained ...ry information ...nd note it in the service register. I request you to furnish me ...n a ...ed ...ent at a very early date as the pension ...pplication of the Pleader is being ...

	Date of commencement.	Date of termination.	
T.D.C.Chittoor	22.4.33	A 26.5/33	Transferred to Anantapur.
	In transit from 27.5/33	to 1.6.33	
Anantapur	2.6.33	A 14.7/33 fN	Transferred to Bellary
	In transit from 14.7/33	to 19.7.33	
T.D.C.East Godav...ri	9.10.33	X	Transferred to Guntur
	In transit from X	to 22.11.33	

Note the ...s at places marked X may be furnished.

...d...S...ar,
Dy.Collector.

CHN.4.5. ...ue copy /By order/
U. ...
6.5.35.
...ngish ...ed ... Constant.

53
4/5

Quantico

N Dir 642 d/1935
Aut.

Retransmitted with
the information noted
over-leaf

C. W. Furnival-Jones
Lt-Col

for Director

9/8/35

From

[illegible]
[illegible] Officer, [illegible]

To

The Treasury [illegible], Chittoor,
[illegible]ntapur
[illegible]
[illegible] Godavari [illegible]
[illegible]

Sub: [illegible] - [illegible] Khan Saheb
[illegible] application for pension.

[illegible] of commencement or termination of appointment in the [illegible] in the Service Register of the officer [illegible] to obtain the information and note it in the service register. I request you to furnish me the information at a very early date as the pension application of the officer is being delayed.

	Date of commencement.	Date of termination.	
[illegible] Chittoor	22.4.[illegible]	A	Transferred to [illegible] [illegible]pur.
	In transit from	A	to 1.6.[illegible]
[illegible]ntapur	2.6.[illegible]	A	Transferred to [illegible]
	In transit from	A	to 19.7.[illegible]
[illegible]	[illegible].10.[illegible]	A	Transferred to [illegible]
	In transit [illegible]	A	to 22.11.[illegible]

Note [illegible] may be furnished.

[illegible].4.[illegible] [illegible]

[illegible] Officer.

N. [illegible]
4.5.35

[illegible] Accountant.

Guntur

V

N 9310 Σ - 15.11.35

Retransmitted

Mr Imam Saib, Abdul Wahab Saib Bahadur Asst. Insp. on inspection duty, was relieved at Cocanada on the A.N of 15-11-33, and joined duty at Guntur on the F.N of 23-11-33. He was on transit from 16-11-33 to 22-11-33.

Dy. Collector

8.5.35 8.5.35

To, The Dy. Collector

Kistna

19

C.[illegible] (a).

In reply, please quote number, date and short title.*

Revenue DEPARTMENT.

Received *Registered*

From (Name) M.R.Ry.V.D.Rajaram Mudaliar Avl., B.A.,

(Designation) Treasury Deputy Collector,

Post Box, (Station) Chittoor.

Telegraphic Address

To

The Treasury Officer,
Kistna.
Chilakalapudi.

L.Dis.-- *No.* 3884/35., *dated* 8th May *1935*

Sir. Abdul Wahab Sahib Bahadur, Khan Sahib--Services--
Ref: Your letter R.c.1229/35 d/4-5-1935.

The Officer was relieved from the post of Additional Treasury Deputy Collector, Chittoor on the afternoon of 26--5--1933.

V. D. Rajaram.
8.5.35

TREASURY DEPUTY COLLECTOR.

Enclosures

Spare Copies

MGS.p.8-5.

In reply, please quote number, date and short title. *

Revenue DEPARTMENT.

Received ..... *Registered* .....

From (Name) M.R.Ry. T.V. Jagannatha Rao Nayudu Garu

(Designation) Treasury Deputy Collector

Post Box ....., (Station) Bellary

Telegraphic Address .....

To The Treasury Officer

Kistna

Ref. *No.* 675/35, *dated* 9th May 1935.

Sir,

Pension- civil pension- Abdul Wahab Sahib Bahadur Khan sahib- date of ~~xxxxxx~~ relief from Anantapur Treasury and joining in Bellary District- Information furnished.

Your Ref.C.No. 1229/35 dated 4-5-35.

Khan Sahib Abdul Wahab Sahib Bahadur was relieved at Anantapur on the forenoon of 14-7-33 and took charge at

ENCLOSURES .....

....

....

ARE COPIES .....

Certificate

" I hereby certify that I have neither applied for nor received any pension or gratuity for any portion of service included in this application and inrespect of which pension or gratuity is claimed herein, nor shall I submit an application hereafter without quoting a reference to this application and the orders which may pass thereon.

Place Bellary

Date 29th May 1935

Signature of the pensioner

Sundry Treasury Deputy Collector, Nishna etc. Accts.

From	To	Period in Months.	Rate	Amount	Remarks.
				Rs a p	
25.4.32	30.4.32	6/30	" 300	60 0 0	
1.5.32	31.3.34	23	300	6900 0 0	
1.4.34	31.5.34	2	460	920 0 0	
1.6.34	6.6.34	6/30	460	92 0 0	
7.6.34	30.6.34	24/30	500	400 0 0	
1.7.34	31.3.35	9	500	4500 0 0	
1.4.35	24.4.35	24/30	500	400 0 0	
		36		13272 0 0	

Average monthly $\frac{13272}{36}$ = 368.10.8

Pension = $\frac{368.10.8 \times 30}{60}$ = 184.5.4

= 184.5.0.

Ambalavanaier
28/5
For Collector,
Kistna.

JC

CR 21/5/35.

M 22.5.35 SMA

13-7
22-2
1346 40.8
184-5-4

S. Y. 146.
(Art. 91, C. S. R.)

24

Rev 2440B
15-6-35

OFFICE OF THE

No. Pen A12 935-36/533 Dated 13th June 1935.

FROM THE Accountant General,

To THE Secretary to Government, Madras,

SIR, Through the Secretary to Government (Pension) Deptt
Revenue Department.

I have the honour to forward, for orders, an application for ~~Superannuation~~ pension on behalf of Khan Saheb Abdul Wahab Saheb Bahadur, late Treasury Deputy Collector, Kistna received from the Board of Revenue, L.R. & Settt., Madras with ~~this letter~~ No. Ee.3073/35-3, dated 1th 6th June 1935.

2. The report required from this office, and the papers (~~specified below~~) connected with the application, are also forwarded.

Rev. Dept in (Pen) no. 1 Year 12.6.35

I have the honour to be,
SIR,
Your most obedient Servant,

(Signature) A Ramaswamy
(Designation) Deputy Accountant General,

1396

.35 S 13/6 *Specification of papers transmitted herewith.*

No. and date.	From whom.	To whom.	No. and date.	From whom.	To whom.
16/35					
Rev. dept no 244		B/35/1 17.6.35			

DCFP—1569Audit—(M-1825)—1-10-32—2,000.

25

OFFICE OF THE ACCOUNTANT-GENERAL, MADRAS.

Fort St. George, 13th J u n e *193* 5

Enclosures (14 Sheets + 2 Service Books)

No. Pen.A. 12 of 35-36/533.

(P.V.Sec.)

Certificate and Report of the Accountant-General, Madras, No. Pen. A. 12 of 35-36/533, dated 13-6-1935.

....

Certified that qualifying service of Khan Saheb Abdul Wahab Saheb Bahadur, late Treasury Deputy Collector, Kistna, in superior grades has been duly proved for over 30 years and that a superannuation pension not exceeding Rs. 184-5-0 (Rupees One hundred and eighty four and annas five only) per mensem is admissible under Articles 458 and 474 A (ii) (b) of the Civil Service Regulations.

2. The calculations have been duly verified.

3. The pension is chargeable to Provincial Revenues in the following manner, is voted and will commence from 25th April 1935.

4. Attention is invited to Article 470 of the Civil Service Regulations.

5. An anticipatory pension of Rs. (180/-) One hundred and eighty only per mensem has been sanctioned by this office for payment to him with effect from 25-4-1935.

A. Ramakrishnaiya
Deputy Accountant-General.

T.A.M.

* 45, Superannuation Allowances and Pensions
Superannuation and Retired Allowances
.Provincial.Voted.

To

The Secretary to the Government of Madras.
Finance(Pension) Department.
through the Secretary to the Government of Madras,
Revenue Department.

SECRETARY TO GOVERNMENT 18 JUN 1935 FINANCE DEPT.

1996

Revenue DEPARTMENT.

CURRENT No. 2473 B

Received 19 JUN 1935 19 . Registered 19-6-35 19 .

Subject.

Pension - Abdul Wahab Saheb Bahadur Khan Saheb - Retired Deputy Collector - Calculation - Petition to Government Submitted.

ENCLOSURES.
No.
Spare copies

Reference - D - No. 3116/35.1.

Station Madras Dated the 15th June 1935

From A.R.C. Westlake Esq., I.C.S.,
Secretary,
Land Revenue.

~~The~~ Board of Revenue, ~~Revenue Settlement, etc.~~
Separate Revenue.

A. H. A. Todd Esq., I.C.S.,
Commissioner of Land Revenue.

~~Resolution~~
~~Reference.~~

Read the following.-

Petition from Janab Khan Saheb Abdul Wahab Saheb Bahadur, Retired Deputy Collector, Bellary, dated 10th May 1935.-

Having learnt that, on the statement of average emoluments sent up by the Treasury Officer, Kistna, fo fixing my pension, the Accountant General raised the question whether, for the inclusion of the pay drawn by me as acting Deputy Collector for the two years pri to 1st April 1934 (the date of my confirmation as --

Deputy

---ctor), I acted in a clear or full vacancy under Article 486 (h) C.S.R. and the question was pending consideration with the Board of Revenue, I submitted a petition to the Board explaining my case. Since the Board of Revenue has not issued favourable orders as -- will be seen from the copy of the Endorsement given to me, I humbly beg to submit this representation to the Government for consideration and favourable orders.

2. In the first place, I submit that the question raised by the Accountant General does not arise. Pension has to be determined with reference to the "average emoluments" -- calculated upon the last three years of service which, in my case, consist of about two years of service as acting Deputy Collector (from 25th April 1932 to 31st March 1934) and about one year as permanent Deputy Collector (from 1st April 1934 to 24th April 1935). From the question raised and the negative reply given by the Board, it is presumed that the Accountant General would exclude my pay as acting Deputy Collector for about two years and substitute therefor my pay as Tahsildar. For doing this, he evidently relies upon the word "pay" in Article 486 (a) C.S.R. and its definition as "monthly substantive pay" given in -- Article 38 C.S.R., as distinguished from "pay" earned in an officiating capacity which is classified as allowance under Article 486 (h) C.S.R. This distinction which the Accountant General is seeking to make is wrong and overlooks the changes which have come into existence with the introduction of the Fundamental Rules, under which I elected to come and also filed a declaration to that effect. In

support

support of my contention, I invite attention to the -- notification of the Government of India (Finance) published as supplement to part I of the Fort St. George Gazette dated 6th December 1921. According to the letter of the Joint Secretary to the Government of India, the Fundamental Rules replace the rules in the C.S.R. with effect from 1st January 1922, except in respect of pensions only. Appended to the rules communicated with that letter are two memoranda explanatory respectively of each rule in the Fundamental Rules and of the treatment accorded in these rules to each article in the C.S.R. The following references to them will show that there is no longer any distinction between "pay" earned in an officiating capacity and permanent post in the same cadre to split it up under Article 486 (a) and 486 (b) C.S.R. for the purpose of fixing pension. In the first memorandum under rule 9 (21) (a), it is stated that the distinction drawn in the C.S.R. between "pay" and "Salary" the latter term including in addition to pay proper all such allowances as were of the nature of pay, has been abolished and that the allowances in question have all been included in pay proper. In rule 9 (21) (a) of the -- Fundamental Rules, pay has been defined to be the amount drawn monthly by a Government servant as the pay which has been sanctioned for a post held by him substantively or in an officiating capacity, or to which he is entitled by reason of his position in a cadre. In the memorandum -- explanatory of the treatment accorded in the Fundamental Rules to each article in the C.S.R. under Chapter II, against Article 38, it is stated that the definition in the Article have been replaced by definitions of pay etc., in

the Fundamental Rules. It is further stated that a number of additions to pay which had hitherto been classed as allowances are now included under pay, being in essence of the same nature as pay and that acting allowance etc., all come under this head. In the same memorandum, under Chapter V against Article 86, it is laid down that acting allowances have been abolished in the Fundamental Rules and that under them, an acting Government Servant draws as pay the pay of the post in which he officiates. Against Article 87 lower down, it is stated that substantive -- protempore appointments do not find a place in the Fundamental Rules and against articles 90 - 93 that such -- substantive protempore appointments have been abolished. Under these circumstances, 486 (h) C.S.R., has no longer any force and pension has to be calculated upon the consolidated pay as fixed under the Fundamental Rules and drawn during the last three years of service. Attention in this connection is invited to second sub-paragraph -- under Chapter I Article 4 in the memorandum explanatory of the treatment accorded in the Fundamental Rules to each article in the C.S.R., which makes it clear that the -- matters relating to pay and pensions will in future be regulated by the Fundamental Rules. Thus when there cannot be orders now appointing an officer provisionally or -- substantively protempore to a post and when all the articles in the C.S.R., except the general pension rules have been replaced by the Fundamental Rules, the application of the obsolete and superseded terms and their definitions contained in the C.S.R., is anomalous and a positive

positive injustice to me and it can hardly be the intention of the Government who are liberal in dealing with their servants who retire after a long service, as the very policy of granting pensions denotes. This aspect of the question was not dealt with in my petition to the Board, as the -- notification referred to above was not then traced.

3. My first appointment as a Deputy Collector was on 25th November 1927. I have on the whole put in a service of 5-9-16, of which a period of 4-8-22 represents my acting service and it was continuous from 27th September 1930 till the date of my confirmation on 1st April 1934. On account of the reference of the Accountant General and the view taken by the Board on that reference, I would not get the pensionary benefit of atleast two years of my acting service as Deputy Collector out of a total service of 4-8-22 which is considerable. In other words, I will be getting only a very small sum over and above the pension I would have drawn even as a non-Gazetted Officer.

4. I am not aware how the Board has been pleased to endorse that I was not officiating in any of the vacancies contemplated under Article 486 (h) C.S.R., in the absence of information any where on record in what vacancy I -- continued to work from the date of my appointment as Deputy Collector till the date of my confirmation. It is only when Deputy Collectors are confirmed that they are shown in -- particular vacancies and the acting Deputy Collectors once appointed, continue as such so long as their appointments fall within the sanctioned strength of the cadre and no regular vacancies are assigned to them. In these -- circumstances, the sole test by which it has to be decided

whether a Deputy Collector acted in a clear or full vacancy or not, is the fact whether he continued to act as a -- Deputy Collector without a break or not till the date of his confirmation. When a Deputy Collector had no break in his acting service and was confirmed eventually, it does not seem to be proper to declare, in connection with the settlement of his pension, that there was ever a dange of his reverting while acting as a Deputy Collector when i fact no reversion came to him, as the declaration that he did not act in a clear or full vacancy would naturally amount to and signify. I respectfully submit that this declaration ignores even the reasonable implication of my selection for Treasury Training and my subsequent appointment as additional Treasury Deputy Collector for a period of 9 months from 18th March 1933 to 18th December 1933 which falls within the period of 2 years in question, the whole or which, in the light of the reply given by the Board will have to be left out of ~~account~~ account for the -- calculation of my pension - that I did not stand in -- danger of being reverted for want of vacancy, for unless there is certainty of a Deputy Collector continuing, no additional expenditure is incurred for his training in Treasury work. I was also declared to have completed my probation satisfactorily on 28th September 1932.

5. From 27th September 1930 I have put in a continuous service as Deputy Collector. I invite attention to the quarterly lists of members of the Madras Civil Service (Executive Branch) corrected up to 1st October 1930 in which I was given the 4th rank under acting Deputy -- Collectors and 9th rank under acting Deputy Collectors

including

including those who were up to then treated as having completed their probation. In that list there were 38 Deputy Collectors shown below me. In the subsequent lists, the number of Deputy Collectors shown below me increase and there was absolutely no chance of my reverting at any time for want of a vacancy. In the quarterly list dated 1st October 1930 and the subsequent lists, there were a number of Deputy Collectors on special duty and foreign service and they continued as such till the date of my confirmation and even thereafter and the ranks assigned to me were well within the number of vacancies which occurred on account of such Deputy Collectors -- having been deputed either for special duty or foreign service. From the preference given to me, my reversion for want of a vacancy during the 2 years under reference was out of the question. I may here add that on my re-appointment as Deputy Collector on 27th September 1930 I was given a place over Mr. Samuel Pillai and others, which evidently meant that I should be preferred for acting vacancies to others below me.

6. In this connection, I submit that I have put in a long and honest service of about 32 years in the Department and the Government were also pleased to recognise my work by the award of the title of "Khan Saheb". The pay I was drawing before retirement was Rs.500/- and if I do not at least get a pension of about Rs. 230/- per mensem as I would, if the objection of the Accountant General is vetoed, I will be very hard hit. I have no other source of income and have got 6 boys to educate. I therefore humbly and respectfully beg to request that my case may be treated very sympathetically and the Accountan

General asked to take into consideration the last 2 years of my acting service as Deputy Collector from 25th April 1932 to 31st March 1934 for the calculation of my pension.

Reference.-

Submitted to the Government for orders.

Secretary.

To the Secretary to Government,
Revenue Department.

m.k.g/17.6.

DR
KPS 1836

35

Rev. Dept

568

O.M. No. S.~~60~~ + P/35-1 & 3/5

Pension - Abdul Wahab Sahib Bahadur Khan Sahib - Retired Dy. Coll. Calculation Petn. - Bad's Refee'D No. 3116/35-1 & 15-6-35

The Board of Revenue is requested to report whether the acting pay (Khan Sahib) of ~~Abdul~~ Wahab Sahib Bahadur, retired Dy. Coll. drawn during the last 3 years of his service can be reckoned as emoluments for pension under art 486 (h), C.S.R.. The officer's service book in 2 vols is sent for reference and return.

3.7.35

2.7.35

2.7.35

32

Bellary,
11.7.35

(65)

Judl. B 50

Rv 2712 B
12.7.35

The Secretary,
Revenue Dept., Govt. of Madras
Ft St Geo. Madras.

Sir,

Abdul Wahab, Khan Sahib - pension application
Accountant-General's objn. - Protest. orders solicited

I beg to request that if any order has been passed on my petition dated 10th May 1935, it may be kindly communicated to me. I submitted one copy direct to the Govt & the original through the Board of Revenue, Land Revenue.

Abdul Wahab
Retired by Collector
Bellary

39

Rev. Dept

O.M. No. S/568 P.O. 35-28 & 1577/35

Pension - Abdul Wahab Sahib Bahadur Khan Sahib - Retired Dy. Collr. - calculation - Petition of 11.7.1935

Khan Sahib Abdul Wahab Sahib Bahadur, Retired Dy. Collr. is informed that the matter is under examination.

15.7.35

To

Khan Sahib Abdul Wahab Sahib Bahadur,
Retired Dy. Collr.,
Bellary.

D.S.
15.7.35
P.K.
15/7/35

Issued by the Secretariat
Dpt.'s initials Rev 18/7
Date 123

Cc 17/7

Issue + Keep in B3

Cable

SD/17 15/7/35 17/7

(b)

p 37 cf

Revenue DEPARTMENT

REMINDER. L.R. REPLY. 2829

To THE Secy to the Govt Revenue Dept To THE 6.9.35

7 - SEP 1935

~~have the honour to invite~~
I am directed to ~~invite~~ attention to
~~invite~~

No. 3073-35 3, dated 6.6.35 and

to request that the reply to it may be expedited
~~request that this reminder may be returned at once with~~
information as to—

(1) the stage at which the matter now is,

(2) the date by which a reply may be expected, and

(3) the circumstances which have caused the delay.

ice Board of Revs

Signature. For Secretary

Station Madras

Designation. 579

Dated 5.9.35

SUBJECT.

Pensions. Superannuation (Kistna)
Ishan Sahib Abdul Wahab Sahib Bahadur
Treasury Deputy Collr (retired)
Pension appln.

Rev. Dept

[C.No. 2473 B/35]

Pension - Abdul Wahab Sahib Bahadur Khan sahib - Retired by coll - calculation. Petition -

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From the Sd y Rev (L & A.) Ref. D. No. 3116/35-1 d/ 15-6-35

To Secy.

Please see the petition from Abdul Wahab Sahib, retired Dy. collector at pp 1-8 c.f. The petitioner has already submitted a petition to the Board of Revenue / on the points raised in his present representation. But the Board did not pass favourable orders on it. The Board has since submitted the petitioner's pension application which has been passed on to the Fin (Pension) Dept. with Rev. no. No. 2440 B/35-1 on 17.6.1935. This may also be passed on to the Fin (Pen) Dept.

Addl. papers pp 1-2

25-6-35

Fin (Pen)

SECRETARY TO GOVT
26 JUN 1935
20139
Rev.
SECRETARIAT TO GOVERNMENT
27 JUN 1935
MADRAS

25.6.35

OK. 25/6/35

Fin (Pen) Dept.

The file relating to the petitioner's pension was sent to Rev. with this dept's no. no. 19396-18 27.6.35. This may be returned to them. They may be requested to offer their remarks with special reference to the point whether the acting pay of the petitioner as Dy. Collr. drawn during the last 3 years of his service can be reckoned as emoluments for pension under Art. 486(h), C.S.R.

2. The petitioner's arguments that his acting pay as Dy. Collr. will count for pension, irrespective of the point whether or not the vacancy satisfies the conditions in Art. 486(h), C.S.R., are untenable. The definition of pay in F.R. 9(21) includes officiating pay. But, for purposes of pension, the definitions in the C.S.R. are to be followed and not those in the Fundamental Rules - please see the Auditor-Genl's ruling referred to at M on p. 1 of note to Ro. 162 Fin (Pen) dt 13-3-1934.

The term 'emoluments' for purposes of pension is defined in Art. 486, C.S.R. It includes (1) 'pay' (clause a of that article) - which means monthly substantive pay (vide Art. 38(a), C.S.R.) - and (2) 'acting allowance' of the kind

for difference between permanent pay & offg. pay.

kind mentioned in clause (h) of Art-486, C-S-R. If Rev. considers that the petitioner officiated during any portion of the last 3 years of his service in a vacancy of the nature described in Art: 486(h), there is no objection to count the officiating pay as emoluments for pension in respect of that period.

27-6-35.

27-6-35

28-6-35

Rev.

Fin. 2013 & Rev-1

286 35

Rev. S. 601-B

2-7-35

Rev. Secy.

To see.

With reference to A in para 1 of the note at p 2 ante a draft one to the Board calling for the information is submitted for approval.

[Please however see in this connection the portion marked X in para 4 of the petition at p 31 ante. But the Board has not offered any remarks on this point when forwarding the petition to Govt.]

2-7-35

2-7-35

3-7-35

F. 41

CRL 2712B/35]:- From Hira Lal Saksena Bahadur, I.C.S.

To Secy.

The Board's remarks have been called for on the retired Dy.Collr's petition. Any orders that may be passed on the petition will, in due course, be communicated to him. It is for orders whether any reply need be sent to the petitioner now.

[illegible]

D.S. 14.7.35

Even if he may be told that the matter is under examination

15.7.35

O.K. 14/7/35

To Secy.

A draft O.M. is submitted for approval.

15.7.35

D.S. 15.7.35

O.K. 15/7/35

48

EC No. 3287B/35] From the Board of Revenue

pp 41-42 C.F. (L.R.18) Refce. D. 3116/35-2 dt) 13.8.35.

To A.S.

Please see the Board's reference at pp41-42C

pp 41-42 C.F. The Board of Rev. has stated that according to the A.G's interpretation of the rules the pay drawn by Khan Sahib Abdul Wahab Sahib Bahadur

p 137 of C.S.R. Bk 62. will not Count for pension under article 486(h) C.S.R. as there is no record that he was acting in the place of any Officer whose lien had been suspended.

p 42 C.F. 2- As regards para 2 of the Board's reference, attention is solicited to para 2 of the Finance N.O. note at pp 2-3 N.F. ante. According to the Auditor. general's ruling. for purposes of pension, the definitions in the C.S.R are to be followed and not those in the F.R.

Bk no 64.

pp 41-42 C.F. 3. As Abdul Wahab Sahib did not officiate during any portion of the last three years of his service in a vacancy of the nature described in Art. 486(h) of the C.S.R., his officiating pay in respect of that period Cannot be Counted as emoluments for pension. Finance may be informed accordingly.

p 137 C.S.R Bk 62

4 The Officer's personal register is put up flag (X).

~~Both the Counterfoils of this Deptt. on portion marked A of the Finance Deptt. note above~~

~~49~~

~~His death order, the file may be sent to the Foreign Dept.~~ (x)

Cl 19.8.85. OK. 19/8/35

For purpose of pension, the rules in the C.S.R. have to be followed. The point raised in para 2 of the Bdr' regr. has therefore to be ignored. Under Art. 486(b) C.S.R, officiating pay can be taken into account for the purpose of calculating average emolument only if the officer had officiated in a substantive vacancy & on which no other officer has a lien or in a temporary vacancy due to the absence of a permanent incumbent on leave without allowance or on foreign service. There is no record that Khan Sahib Abdul Wahab Sahib officiated as Dy Collr in one of the vacancies of the description mentioned above during his service as officiating Dy Collr. Substantive vacancies in the Dy Collrs' cadre are filled up when & there as vacancies arise

F 42 CF

with effect — from the date on which they arose. If a Dy Collr is lent on foreign service for more than 3 years, his lien is suspended & the resulting vacancy is also filled up similarly. Thus, acting Dy Collrs ~~in the Cadre~~ only act in leave vacancies or in vacancies consequent on the creation of temporary posts. The Khan Sahib is therefore not likely to have acted in a substantive vacancy of the description mentioned in Art 486 (2) CSR. The answer to Anp 2 ante is therefore that his acting pay as Dy Collr cannot be reckoned as ~~pay~~ emoluments for pension.

The file may be returned to Fin.

20.8.35

S Fazl
20.8.35

Finance

Usually no post Dy Collr goes on leave without allowance

S. This seems to be the case
Fazl
20.8.35

ASSISTANT SECRETARY TO GOVERNMENT
21 AUG 1935
ORISSA

Rio. 2. O. C. No. 5568 B/35-3
20. 8. 35

[Lift Personal file and Service register of Khan Wahab Sahib]

26327

~~8~~ 51

(Previous Fin. note on pp. 2-3 above) Fin (Rev) Dept.

With reference to the question whether the applicant's officiating pay as Dy. Coll., from 25-4-32 to 31-3-34 can be reckoned as emoluments for pension under Art. 486(b), C.S.R., Rev. have stated that it cannot be reckoned for pension as he would not have acted in a vacancy of the nature described in that article. As the applicant has submitted a petition ~~praying to~~ praying that his offg. pay as Deputy Collr. may be counted for pension, he may be informed that the request is inadmissible. It may also be stated in the draft that for purposes of the pension rules in the C.S.R. only the definitions in those rules & not ~~in~~ the definitions in the Fundamental Rules should be followed - please see the applicant's arguments in para. 2 of petition on pp. 28-31 c.f. and para. 2 of the Reference from the Board of Rev. on p. 42 c.f. Para. 3 now added to the draft order is for approval.

2. As Rev. have not offered their remarks on the grant of full pension with reference to Art. 470, C.S.R., the case may be sent to them for acceptance

9 52

of the draft order.

22-8-35.

GO/29.8.35

Flag Y.

Rev.

28.8.35

No. 19396-2

29-8-35

ASST. SECRETARY TO GOVT. 3464 GOVT 1935 REVENUE DEPT.

S.

Offg.

30/8/35

Rev Dept.

The personal file of the Officer is at flag (X). Full pension may be admitted.

30.8.35

31.8.35

ASSISTANT SECRETARY TO GOVERNMENT 31 AUG 1935 REVENUE DEPT.

Rev. A. O. 3464 B/35-1

31. 8. 35

(With Officer's personal file & Service registers)

Fin (Pen) Dept.

27363

The draft order below sanctioning the full pension of Rs. 184-5-0 per mensem admissible to Abdul Wahab Saheb Bahadur late Deputy Collector and informing him that his request to count his officiating pay as a Dy. Collector (prior to confirmation) for pension is inadmissible — may now issue.

D/ 6, M 33-34 c.f.

GO/3.9.35

3-9-35.

3.9.35

C4

C3.

4/9

53

5/25 1935

202—19-6-34.

FINANCE (PENSION) DEPARTMENT.

Pension— Superannuation — Abdul Wahab Saheb Bahadur, Khan Saheb, late Treasury Dy. Collr., Kistna — Sanctioned.

Read—the following papers :—

From the Bd. of Rev. (L.R.-I.S.) Ref. No. E. 307 3/35-3 dated 6-6-1935.

Accountant-General, No. Pen. A. 1207 ~~dated~~ 35-36-533 & 13-6-35

" " Bd. of Rev (L.R.-I.S.) Ref. D. No. 3116/35. 1 & 15-6-35.

" " " " 3116/35. 2 & 13-8-35.

Order—No. 677, Finance (Pension), dated 6—9— 1935.

~~Character.~~

Under articles 458

and 474-A (ii) (b) of the Civil Service Regulations, the

Government sanction the grant of a ~~suspension~~ superannuation ~~pension~~ ~~gratuity~~ ~~retiring~~ ~~invalid~~ of

Rupees (184-5-0) One hundred and eighty-four and annas five only per mensem to ~~M.R.R.~~ Khan Saheb Abdul Wahab Saheb Bahadur, late Treasury Deputy Collector, Kistna, with effect from the 25th April 1935 in consideration of his qualifying ~~superior~~ ~~inferior~~ service of over 30 years.

2. The ~~pension~~ ~~gratuity~~ is payable at Bellary

and will be debited ~~on failure~~ to the head

"45. Superannuation Allowances and Pensions— Superannuation and retired allowances— ~~Charged~~ Voted —Provincial."

Certificate C.F.

3. The Board of Rev. is informed that the pension rules in the C.S.R. should be interpreted in the light of the definitions in the C.S.R. and not in the light of those in the Fundamental Rules. As the applicant did not officiate in clear vacancies of the nature described in Art.486(h), C.S.R., the request made in his petition dated 10-5-1935 that his officiating pay as Dy. Collector may be reckoned as emoluments for pension is inadmissible. The Board is requested to inform the ~~petitioner~~ applicant accordingly.

To the Accountant-General (Pension Verification Section). 25-6-35.

" Copy to the Department (with spectacles 25.6.35) GO/3.9.35

a sealed Rev. Cover (with Copy of G.O. 477 Rev (M) 29-10-23.) NOTE.

Rev. no. for acceptance.

That dept. may be requested

Van

Dr

54.

to state whether the full pension may be granted with reference to Art. 470, CSR.

A

25/6/35.

JWAr
25.6.35

26/6/35

Rev.

Tm No. 19396 Pens

26.6.85